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I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

John P. Parise (Reg. No. 34,403)

(Print Name)

Date: November 4, 1997

(Signature)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Brockhaus et al.

Group: 1816

Serial No. 08/444,790, filed May 19, 1995

Examiner: C. Eisenschenk

For: **HUMAN TNF RECEPTOR**

AMENDMENT UNDER 37 C.F.R. §1.129

"E"

Nutley, New Jersey 07110

November 4, 1997

Assistant Commissioner for Patents

Box AF

Washington, D.C. 20231

Sir:

This Amendment is filed in response to the June 6, 1997 Office Action in which a final rejection was made to the pending claims of the above-identified patent application. A response to this Office Action was originally due September 6, 1997, and

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a two-month extension of time is being requested concurrently. Accordingly, a response to this Office Action is now due November 6, 1997.

Applicants are filing this Amendment under the transitional procedures provided for under 37 C.F.R. §1.129. This application has been pending for at least two years as of June 8, 1995, taking into account any reference made in such application to an earlier filed application under 35 U.S.C. §§120, 121 and 365(c). This first submission and fee are being filed prior to the filing of an appeal brief and prior to abandonment of the application. The fee set forth in 37 C.F.R. §1.17(r) is authorized to be charged to Deposit Account No. 08-2525. Accordingly, applicants request that this Amendment be entered and considered on the merits.

Please amend the subject application as follows:

In the claims:

Amend claim 45 as to read as follows:

E1 - 45. (Amended) The protein of claim 44 which [contains] comprises the amino acid sequence of Figure 1. -
